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Brooklyn arms trial hears Clark

By Kevin McCormack

The trial of five naturalized American citizens charged with illegally exporting weapons to the Provisional IRA continued in Brooklyn last week with the defense attorneys calling witnesses ranging from a former U.S. Attorney General to Northern Irish political activist Bernadette McAliskey to the witness stand.

The five defendants are Michael Flannery, 80, a retired insurance company supervisor from Jackson Heights, Queens; George Harrison, 67, a retired armored car guard from Brooklyn; Patrick Mullin, 44, a telephone company employee from Brooklyn; Thomas Falvey, 54, a part-time constructio worker from Hollis, Queens; and Daniel Gormley, 33, a heating and air-conditioning engineer from Yonkers.

The five are charged with plotting to ship a 20 millimeter canon, a flamethrower, 47 machine guns and 11 automatic rifles, all seized by the FBI in Mullin's basement, to the Provisional IRA. The time span

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of the alleged plot was between December 1980 and June 1981.

On Tuesday, Oct. 26, the defense called former U.S. Attorney General Ramsey Clark and Ralph McGehee, a former Central Intelligence Agency agent and an author of articles on the CIA, as expert witnesses. It appeared the pair would be used to support the testimony of Earl Redick as to the plausibility of CIA involvement in arms shipments to the IRA.

Redick stated from the witness stand on Oct. 19 that he sold guns to George DeMeo, an illegal arms dealer currently serving a 10 year sentence for selling weapons illegally who was Harrison's alleged supplier of guns for a number of years. Redick said he sold weapons to DeMeo because he believed DeMeo was an operative of the CIA based on conversations he had with DeMeo. Redick said in his opinion, the sales made to DeMeo were CIA sanctioned.

On Oct. 18 DeMeo denied any ties with the CIA.

McGehee, who was called to the stand by Michael Kennedy, Flannery's attorney testified based on his 25 years as a CIA agent and his knowledge of "the Company," as he repeatedly referred to the CIA, that it was possible for the CIA to be involved with shipping arms to the IRA. He said, however, that he had no precise knowledge of such shipments.

Kennedy continued questioning McGehee, asking that if a CIA operative, which is a part time agent for the CIA, was caught in such a covert activity it

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the agent would deny association with the CIA. McGehee said such an agent would deny it.

"It would be especially sensitive. Because of our relationship with England it would be kept very secret," McGehee said. Kennedy apparently hoped to impress on the jury that DeMeo's previous denials of CIA involvement should be taken with skepticism because as McGehee testified, secrecy is essential to CIA operations and an agent in DeMeo's position would deny any involvement.

Kennedy's questions held true to a plan outlined earlier by the defense attorneys. Frank Durkan, Harrison's attorney, said the defense hoped to prove a CIA link to the arms shipment in question in this case. Durkan said earlier this would mean no law was broken by shipping the weapons, since the CIA does not have to register weapons it exports. If the defendants were involved with a CIA operative in DeMeo, the defense hopes, they would be found not guilty of the charges.

Former Attorney General Clark testified about his experiences with the CIA while in the Justice Department. He was in the Justice Department from 1961 to 1969.

Barry Schek, Mullin's attorney, questioned Clark about an FBI memorandum from 1967 which said that the FBI had been investigating DeMeo and others as to a possible link with the CIA.

The FBI memorandum went on to say that the CIA denied any connection with DeMeo and the others. The FBI said they were continuing the investigation. Previously Durken said this document showed the FBI had suspicions that DeMeo was with the CIA.

Schek, questioned Clark as to whether the CIA had ever lied to the Justice Department if they were found to be engaging in covert activities. "It was, as far as I recall, uniform practice of the CIA to deny it was involved in activity in the domestic area because of an FBI agreement saying they would not," Clark said.

David Kirby, the government prosecutor, pointed out that the document was marked "impersonation." Kirby asked Clark if it was possible, just from reading the memorandum, as the whole document has not been put into evidence, if the subject of the entire document may have been the FBI investigating whether DeMeo was impersonating a CIA agent at the CIA's request. "That could be an explanation," Clark said.

Kirby appeared to be trying to show, in light of the previous testimonies, that DeMeo's denial of CIA involvement may have been genuine.

In addition to these expert witnesses, the defense also called a number of character witnesses last week. The most prominant was Bernadette Devlin McAliskey, former Member of Parliament and Northern Irish civil and political leader. She testified on behalf of Harrison and Falvey.

Mrs. McAliskey said she knew Harrison since 1969. "I would say in every community and every age group George (Harrison) is held in high regard. George is one of the few people it is my privilege to know who has few enemies and few, if any of them are decent people," she said. She also said as far as she knew, both men had high regard for the law.

The trial, before Judge J.M. McLaughlin, will continue this week and is expected to last at least another week.